

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JORGE CASANOVA,

Plaintiff,

v.

No. CV 08-0288 BB/CEG

WARDEN ROBERT ULIBARRI,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on January 16, 2009. See docket no. 22. The proposed findings notify Jorge Casanova of his ability to file objections and that failure to do so waives appellate review. To date, Mr. Casanova has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

IT IS HEREBY ORDERED THAT:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (docket no. 22) are adopted;
- 2) Warden Robert Ulibarri's Motion to Dismiss for Failure to State a Claim for Which Relief May be Granted Pursuant to Federal Rule of Civil Procedure 12(b)(6) (docket no. 14) is GRANTED;
- 3) All claims against Warden Robert Ulibarri in this action are DISMISSED WITHOUT PREJUDICE;

- 4) Plaintiff Jorge Casanova's "Motion to Request" (docket no. 13) is DENIED as moot; and
- 5) Civil case number 08-0288 BB/CEG is hereby closed.

A handwritten signature in black ink, appearing to read "Bruce D. Black". The signature is written in a cursive, flowing style.

UNITED STATES DISTRICT JUDGE